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LexisNexis Risk Solutions Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ERVIN MIDDLETON,
Plaintiff,
vs.
LEXISNEXIS RISK SOLUTIONS INC.,
Defendant.

Case No.:

**NOTICE OF REMOVAL BY
LEXISNEXIS RISK SOLUTIONS INC.**

Defendant LexisNexis Risk Solutions Inc. ("LNRS"), by and through undersigned counsel, hereby removes Civil Action No. A-17-756499-C from the Eighth Judicial District Court, Clark County, Nevada (the "Civil Action") to the United States District Court for the District of Nevada. Removal of the Civil Action to this Court is proper for the following reasons:

1. On or about June 15, 2017, Plaintiff Ervin Middleton ("Plaintiff") filed his Complaint in the Civil Action. **Copies of all process, pleadings, and orders served on LNRS in the Civil Action are attached to this Notice of Removal as Exhibit A.**

2. The Summons and Complaint in the Civil Action were served on LNRS on June 22, 2017. Therefore, this Notice of Removal is filed within the time prescribed by 28 U.S.C. § 1446(b)(1).

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1 3. LNRS is the only Defendant in the case; thus, all Defendants to the claims over
2 which this Court has original jurisdiction under 28 U.S.C. § 1331 have joined in or consented to
3 removal of the civil action.

4 4. The Civil Action involves a controversy over which this District Court has original
5 jurisdiction because it is founded on a claim or right arising under the Constitution, treaties or laws
6 of the United States, and is removable without regarding to the citizenship or residence of the
7 parties, pursuant to 28 U.S.C. § 1441(c).

8 5. Plaintiff alleges claims arising under the Fair Credit Reporting Act, 15 U.S.C. §
9 1681, *et seq.* (See Compl. ¶¶ 7–11.) Thus, the Civil Action is one over which this Court has
10 original jurisdiction under 28 U.S.C. § 1331, and which is removable by LNRS under the
11 provisions of 28 U.S.C. § 1441 in that the matter arises under this Court’s original jurisdiction and
12 is founded on a claim or right arising under the Constitution, treaties or laws of the United States
13 and is removable without regard to the citizenship or residence of the parties under 28 U.S.C. §
14 1441.

15 6. No proceedings have occurred in the Civil Action as of the date of this Notice of
16 Removal. LNRS has not filed a response to the Complaint. LNRS hereby reserves any and all
17 rights to assert any and all defenses and/or objections to the Complaint. LNRS further reserves
18 the right to amend or supplement this Notice of Removal.

19 7. Venue for this case lies in the United States District Court for the District of
20 Nevada, Southern Division, pursuant to 28 U.S.C. § 1441(a), because the Civil Action was filed
21 within this District and Division and the case is being removed from Clark County, Nevada.

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1 8. Promptly after the filing of this Notice of Removal, LNRS shall give written notice
2 of the removal to the Plaintiff and will file a copy of this Notice of Removal with the Eighth
3 Judicial District Court, Clark County, Nevada, as required by 28 U.S.C. § 1446(d). **A copy of the**
4 **Notice is attached hereto as Exhibit B.**

5 For the reasons stated above, the Civil Action is properly removed to this District Court.
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8 Dated: July 12, 2017

KRAVITZ, SCHNITZER & JOHNSON, CHTD.

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10 By: /s/ Gary E. Schnitzer

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CERTIFICATE OF CM/ECF SERVICE

I hereby certify that on the 12th day of July 2017, a true and correct copy of the foregoing ***NOTICE OF REMOVAL BY LEXISNEXIS RISK SOLUTIONS INC*** .was filed electronically via the Court's CM/ECF system. Notice of filing will be served on all parties by operation of the Court's CM/ECF filing system, and parties may access this filing through the Court's CM/ECF system.

/s/ Chris Drelich

Chris Drelich

An Employee of

KRAVITZ, SCHNITZER & JOHNSON, CHTD.